Is that order held to be valid even to-day when the Britishers have already quit this land? If it holds good even now, then will not that order also bind the Hon. the Ministers who have participated in the National movement? Will the Government, therefore, conduct an enquiry into the matter and see that this injustice is removed?"

MR. SPEAKER :—"The main question is how many vacancies were filled up in Chirakkal, etc."

SRI T. C. NARAYANAN NAMBIAR :—"I beg to refer you, Sir, to clause (b) of the question. The Minister said in reply 'none' and I have given this instance."

THE HON. SRI M. A. MANICKAVELU NAICKER :—"I have no information as regards facts relating to the pre-Independence period. It is all ancient history. As regards present times, nobody is disqualified for political reasons. If anybody was disqualified as such, it was in 1939 or 1940."

SRI T. C. NARAYANAN NAMBIAR :—"I gave a representation in November last to the Hon. the Minister."

SRI K. P. GOPALAN :—"May I know from the Hon. the Minister whether these appointments are made on a hereditary basis? Also, how many people are selected for these posts from backward communities?"

THE HON. SRI M. A. MANICKAVELU NAICKER :—"In areas, where the 'Hereditary Act' prevails, appointments are made on a hereditary basis. In other cases, it is not so."

SRI S. RAMALINGAM :—"What are the magisterial powers given to these village magistrates?"

THE HON. SRI M. A. MANICKAVELU NAICKER :—"These village magistrates are not different from the Tamilnad village officers."

Responsibilities of Police authorities in regard to stay-in and hunger-strikes by workers.

* 529 *Q.*—SRI K. P. GOPALAN : Will the Hon. the Minister for Agriculture be pleased to state—

(*a*) whether the Government have recently sent any circular to District Officials clarifying the legal position in regard to hunger-strikes and stay-in-strikes resorted to by workers for the redress of their grievances; and

(*b*) whether it was sent with the intention of starting proceedings against the workers resorting to such strikes?

THE HON. SRI M. BHAKTAVATSALAM :—"(*a*) Government have had occasion to examine the legal position with regard to the responsibilities of the police authorities in

connection with requests from the managements for removal of workers who resort to stay-in-strikes within industrial premises. It is a fact that in this connection a circular was issued to the District Officers setting out their responsibilities and the general attitude they should adopt on such occasions. No circular has, however, been issued with regard to hunger strikes by workers.

"(b) The intention behind the issue of the circular was not at all what the hon. Member surmises or fears."

SRI K. P. GOPALAN :—" May I know from the Hon. the Minister whether the Government are prepared to pass an order banning illegal closure of factories, illegal retrenchment, illegal lockouts and illegal non-implementation of awards on the part of the managements, when they have issued such a circular clarifying the legal position in regard to strike by workers? "

THE HON. SRI M. BHAKTAVATSALAM :—" The circular was issued because some Collectors sought clarification about the legal position. Whether it was done at the instance of the management or the workers, whether it will affect the workers or the management, I can assure the hon. Member that Government will not hesitate to take any steps within the four corners of the law."

SRI M. NARAYANA KURUP :—" Is it proper on the part of the Government to issue such clarification circulars in view of the fact that at a certain stage, they themselves will have to sit in judgment in those cases? "

THE HON. SRI M. BHAKTAVATSALAM :—" It was the duty of the Government to issue such clarification."

SRI S. C. C. ANTHONY PILLAI :—" Sir, in issuing such clarification, was any directive given that stay-in-strikers should be prosecuted? Also was any clarification given as to what kind of action should be taken in cases of illegal lockouts? "

THE HON. SRI M. BHAKTAVATSALAM :—" No directive was given to any of the Collectors or to any other authority in the manner suggested. The legal position was clarified and the Collectors and others were left to act according to the circumstances of the case."

SRI K. P. GOPALAN :—" Are Government aware that police officers are misusing the contents of the circular and that even when retrenchment takes place, they are asked to get into the factories so that the retrenchment notices are served by the managements on the workers in their presence? I can give several such instances. Will the Government make an enquiry into the matter and see that the circular is not misused by the Police department for the purpose of terrorising the workers? "

THE HON. SRI M. BHAKTAVATSALAM :—" I am afraid, I cannot undertake to cause a general enquiry into the matter. If the hon. Member brings to my notice any

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specific instances of abuse by the Police Officers, I shall certainly look into the matter. I may, however, point out that this circular referred to cases of stay-in-strikes within the industrial premises.''

Sri M. PALANIYANDI :—'' அரசாங்கத்தில் நியமிக்கப்பட்ட தொழில் கோர்ட்டின் தீர்ப்பைக்கூட அமல் செய்யமுடியாமல் பல முதலாளிகள் இருந்து வருகிறார்கள். இம்மாதிரியாக இருப்பதனால் இந்த சிறு போராட்டம் Stay-in-strike-உண்ணா விரதம் போன்றவைகளை தடை செய்தால் தொழிலாளர்களுடைய உரிமை மிகவும் பாதிக்கப்படுவதால் கலெக்டருக்கு அனுபபப்பட்டிருக்கும் உத்திரவை தொழிலாளர்களைப் பாதிக்காத அளவுக்கு தளர்த்துமாறு இந்த அரசாங்கம் நடவடிக்கை எடுப்பார்களா ?''

The Hon. Sri M. BHAKTAVATSALAM :—'' I have already answered that the Collectors have been asked to take decisions according to the circumstances of the cases.''

Sri M. KALYANASUNDARAM :—'' உள்ளிருந்து வேலை நிறுத்தம் செய்வது தொழிலாளர்களுடைய உரிமை; தொழில் நிலையத்திற்குள் நடந்த சர்ச்சைகளுக்கு போலீசார் தலையிடுவதன் காரணம் என்ன ? தொழிலாளிகளுக்கும் முதலாளிகளுக்கும் நடக்கும் சர்ச்சைகளைத் தீர்ப்பதற்கு ஒரு தனி அதிகாரி இருக்கும்போது எதற்காக போலீஸ் தலையிடவேண்டும் ? இந்த இராஜ்யத்தில் போலீஸ்காரர்கள் ஒழுங்கையும் அமைதியையும் நிலை நாட்டுவதற்காக இருக்கிறார்களா ? அல்லது முதலாளிகளுக்கும் தொழிலாளிகளுக்கும் ஏற்படும் சர்ச்சைகளை தீர்பதற்காகவா. ஆதலால் அரசாங்கம் இப்பொழுது கொடுக்கப்பட்டிருக்கும் உத்திரவை வாப்பஸ் பெருவார்களா என்று அறிய விரும்புகிறேன்.''

The Hon. Sri M. BHAKTAVATSALAM :—'' Government have told Collectors that they could take action only in cases wherein, according to the legal opinion obtained by the Government, such stay-in-strikes constitute criminal trespass.''

Sri M. NARAYANA KURUP :—'' The question of legality or otherwise has to be decided very often by tribunals. Now, inasmuch as the action of the tribunal is judicial or quasi-judicial, was it proper on the part of the Government to issue such a circular which in fact interferes with the jurisdiction of the tribunal? ''

The Hon. Sri M. BHAKTAVATSALAM :—'' There is no question of interfering with the jurisdiction of the tribunal or any other court. I may tell the hon. Member that the Government have also got the responsibility of maintaining law and order.''

* 530 *Q.*—Sri K. MADHAVAN NAMBIAR :—'' I do not put the question.''

Mr. SPEAKER :—'' Question No. 531.''

Grant of pattas to Harijans cultivating poramboke lands in Vriddhachalam taluk.

* 531 *Q.*—Sri M. KATTIMUTHU : Will the Hon. the Minister for Revenue be pleased to state how many Harijans, who have been cultivating waste poramboke lands in Vriddhachalam taluk for the past 25 years have not been granted pattas and why?